

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

BARTLEY S. BACKUS,
Plaintiff,

v.

ED KILGORE, *et al.*,
Defendants.

3:12-cv-00400-LRH-WGC

ORDER

Before this Court is the Report and Recommendation of U.S. Magistrate Judge William G. Cobb (#3¹) entered on August 15, 2012, recommending granting Plaintiff's Request to Proceed *in Forma Pauperis* (#1), filed on July 30, 2012, and dismissing the complaint with prejudice. No objection to the Report and Recommendation has been filed. The action was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)B and Local Rule 1B 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) (B) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's Report and Recommendation (#3) entered on August 15, 2012, should be adopted and accepted.

¹Refers to court's docket number.

1 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#3)
2 entered on August 15, 2012, is adopted and accepted, and Plaintiff's Request to Proceed *in Forma*
3 *Pauperis* (#1) is GRANTED. The movant herein is permitted to maintain this action to conclusion
4 without the necessity of prepayment of fees or costs or the giving of security therefor. This order
5 granting *in forma pauperis* status does not extend to the issuance of subpoenas at government expense.

6 IT IS FURTHER ORDERED that the Clerk of the Court shall file the complaint (#1-1).

7 IT IS FURTHER ORDERED that this action is DISMISSED with prejudice.

8 IT IS SO ORDERED.

9 DATED this 6th day of November, 2012.



10
11
12 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26